

**CALIFORNIA APPRENTICESHIP COUNCIL**455 Golden Gate Avenue, 10<sup>th</sup> Floor

San Francisco, CA 94102

Tel: (415) 703-4920

Fax: (415) 703-5477

[www.dir.ca.gov](http://www.dir.ca.gov)

ADDRESS REPLY TO:  
California Apprenticeship Council  
P. O. Box 420603  
San Francisco, CA 94142-0603

**Standards, Rules, Regulations & Operating Procedures Standing  
Committee Meeting  
MEETING**

Thursday – October 25, 2007 9:00 – 10:30

I. Call to Order/ Roll Call

Chairperson Aram Hodess called the meeting to order at 9:05 a.m. The following Commissioners were present: Aram Hodess, Anne Quick, Marvin Kropke, Frank Secreet, Cedric Porter, Pat McGinn Leo Garcia, Carl Goff, Chief Dave Rowan, Richard Harris, John Duncan, Director DIR. All were present. A quorum was met.

II. Review/Approval of the July 26, 2007 Meeting Minutes.

It was moved, seconded and carried to approve the minutes of the July 26, 2007 meeting as written.

III. The Committee continued its ongoing discussion on revisions to CAC Regulation 230.1 and has compiled a draft revision. While the Labor Code requires 1 hour of Apprentice work for every 5 journeyman hours worked, Reg. 230.1 is ineffective because it allow the employer to apply to one Apprenticeship Program in that particular craft in a particular geographical area. If a Program is unable or refuses to dispatch an Apprentice, the employer has met it legal obligations. The proposed revision requires employers to ultimately request apprentices from all programs in a particular craft approved to train in a particular geographic area before they have met their obligation. This change should result in increased apprentice employment.

The draft revision also provides that where a prevailing wage determination includes contributions amounts to health and welfare, pension and/or vacation plans that an apprentice participates in by virtue of his/her registration in an approved program, the employer will make contributions to the plans.

The proposed revision recognizes that this would be contingent on the particular plans willingness to accept these contributions.

IV. These followed an open discussion.

Chief Dave Rowan asked for any feedback on what could be done to make the dispatch of Apprentices more stable and also discussed the topic of how to allow the contractors to pay into the Apprentices benefit fund without unnecessary obstacles. Chief Rowan would like a full discussion of this issue, including the amendment of CAC regulations. Chief Rowan encourages participation by all shareholders.

Dick Freeman: Lawyer for various unilateral programs. Expressed belief that there was consensus to require employers to request and employ apprentices. Mr. Freeman expressed support for regulatory changes to 230.1 that would increase apprentice employment opportunities but had concerns about the manner by which non-signatory employers would make fringe benefit contributions on behalf of apprentices.

Jack Davis: Lawyer for a number of joint programs. Expressed support for the proposed revisions to 230.1. It would resolve contradictions between labor Code 1777.5 which requires without exception, the employment of Apprentices of Public Works and the perception that if an employer requests dispatch from only one program he is relieved of his obligation.

Fred Lonsdale: DAS attorney explained that he thinks an argument can be made that 230.1 in fact obligates an employer to request apprentices from more than one program.

Commissioner Anne Quick: Commissioner Quick noted that DAS representatives had publicly supported the position that a request to a single program satisfied and employer's obligations.

Art Webster: Apprenticeship Program Consultant for the National Burglar & Fire Alarm Association, expressed clarification as to which programs he would be requesting apprentices from.

Darryl Lewis: California Surveyors Program noted that many California agencies do not realize or recognize that their projects are subject to rules requiring the employment of apprentices.

Commissioner Leo Garcia: Commissioner Garcia felt that it would be most simple and effective to make the employment of apprentices at the minimum 1-5 ratio mandatory for an employer performing a public project.

Scott Gordon: Southern California Laborers and Commissioner Dina Kimble both had questions as to what it meant to train to the standards of the CAC.

John Upshaw: Independent Roofing program views apprentices as temporary help. He expressed concerns that many of his contractors only performed one facet of roofing and would be unable to provide that full scope of roofer apprentice training provided for in roofing program standards. He was concerned that this could lead to training compliance issues.

Frank Cuneo: Representing the Northern California Joint Sheet Metal Program. His opinion was that apprentices are not intended to be temporary workers. He also observed that some contractors are using intermediaries, who are not licensed contractors, to request dispatch of apprentices. He urged that consideration be given to providing an incentive to employers to employ apprentices.

Bill Callahan – Inquired as to how CAC can quantify the extent of Public Works employers habitually not hiring apprentices.

Neil Struthers: Commissioner, Congratulates the Committee for taking on an issue that would make Public Works contractors accountable to using Apprentices.

DAS Chief Rowan: Suggested using the DAS Website as a means for contractors to request their Apprentices. Chief Dave Rowan would also like to further discuss the website as a tracking system.

It was agreed that Chief Rowan and Fred Lonsdale would also be involved in continuing discussions of any revision to 230.1. The current draft revision will be posted on the DAS website. Comments and concerns are encouraged with the goal of having a recommendation from the Standards, Rules, Regulations, Operating Procedures Committee for action at the next meeting.

The meeting adjourned at 11:00 a.m.

Respectfully submitted:  
Aram Hodess